



By the KING,

A P P R O C L A M A T I O N,

Appointing the Distribution of Prizes taken, and the Bounty for Taking or Destroying Ships of War, or Privateers, of the Enemy, from the Time of His Majesty's Declaration of War against *Spain*.

GEORGE R.



HEREAS by an Act of Parliament made in the last Sessions of Parliament, intitled, *An Act for the Encouragement of Seamen, and the more speedy and effectual Manning His Majesty's Navy*; it is, amongst other Things, enacted, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on Board every Ship and Vessel of War, in Our Pay, shall have the sole Interest and Property of and in all every Ship, Vessel, Goods, and Merchandizes, which they shall take from and after the Second Day of *January*, in the Year of Our Lord One thousand seven hundred and sixty two, during the Continuance of this War against *Spain* (being first adjudged lawful Prize in any of Our Courts of Admiralty in *Great Britain*, or in Our Plantations in *America*, or elsewhere) to be divided in such Proportions, and after such Manner, as We, Our Heirs, and Successors, shall think fit to order and direct by Proclamation or Proclamations, to be issued for those Purposes: And whereas, by the said Act, the Provisions and Regulations established by an Act passed the Twenty ninth Year of the Reign of Our late Royal Grandfather, for better carrying on the salutary Purposes intended in the Prosecution of the War against *France*, as explained and amended by another Act passed in the Thirty second Year of the Reign of Our late Royal Grandfather, respecting the granting Commissions or Letters of Marque; the Persons acting, and Captures made under the Authority thereof, and also all other Clauses and Provisions contained in the said Acts, are extended to the granting of Commissions or Letters of Marque, and all other Matters and Things whatsoever in respect of the same, during the Continuance of the present War with *Spain*, as fully, amply, and effectually, as if the said Regulations and Provisions had been particularly repeated and re-enacted in the said Act of the last Session of Parliament: And whereas by the said Act, the Regulations respecting Prize or Bounty Monies contained in an Act passed in the Thirty third Year of the Reign of Our late Royal Grandfather, are also enacted to be in Force, with regard to any Prizes to be made during the Continuance of the said War with *Spain*: And whereas it is enacted, by virtue of the Provisions herein before recited or referred to, That there shall be paid by the Treasurer of Our Navy, upon Bills to be made forth by the Commissioners of the Navy, to be paid according to the Course thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers, or others, that have been actually on Board any of Our Ship or Ships of War, or Privateer or Privateers, in any Action where any Ship or Ships of War, or Privateers, shall have been taken from the Enemy, sunk, burnt, or otherwise destroyed, since Our Declaration of War against *Spain*, dated the said Second Day of *January*, One thousand seven hundred and sixty two, Five Pounds for every Man which was living on Board any Ship or Ships so taken, sunk, burnt, or otherwise destroyed, at the Beginning of the Engagement between them; the Numbers of such Men to be proved by the Oaths of Three or more of the Chief Officers or Men which were belonging to the said Ship or Ship of War, or Privateers of the Enemy, or belonging to any of them, at the Time of her being taken as a Prize, sunk, burnt, or otherwise destroyed, before the Mayor, or other Chief Magistrate of the Port, within any of Our Dominions, whereunto any Prize, or Officers, or Men, of such Ships as were sunk, burnt, or otherwise destroyed, shall be brought, or before the *British* Consul, or Vice Consul, residing at any Neutral Port to which such Prize, or Officers, or Men, shall be brought; which Oaths the said Mayor, or other Chief Magistrate of any such Port, or Consul, or Vice Consul, are thereby respectively impowered and required to administer, and shall forthwith grant a Certificate thereof, without Fee or Reward, directed to the Commissioners of the Navy; upon producing which Certificate to the Commissioners of Our Navy, together with an authentic Copy of the Condemnation of such Ship so taken, or if such Ship be sunk, burnt, or otherwise destroyed, on producing only a Certificate from the Mayor or other Chief Magistrate, or Consul, or Vice Consul, as aforesaid, the said Commissioners of Our Navy, or such Person or Persons as they shall appoint, shall, upon producing only a Certificate of the Navy, within Fifteen Days, make out Bills for the said Prize or Bounties, directed to the Treasurer of the Navy, payable to, and to be divided amongst, the Officers, Seamen, Marines, and Soldiers, on Board Our Ships of War, in Manner, Form, and Proportion, as by Our Proclamation to be issued for that Purpose shall be directed and appointed; and amongst the Owners, Officers, and Seamen, of any Private Vessel or Ship of War, in such Manner and Proportion as, by any Agreement in Writing, they shall have entered into for that Purpose, shall be directed: But it is nevertheless provided by the said Act, That in all Cases where such Oath and Certificate cannot be administered and granted at the First Port whereunto any Prize, or Officers, or Men of such Ships as shall be taken, sunk, burnt, or otherwise destroyed, shall be brought, such Oath or Oaths relating to any Prize or Prizes that shall be taken, or to any Ships of Our Enemies that shall be sunk, burnt, or otherwise destroyed, as aforesaid, shall and may be administered and taken by and before the Mayor or other Chief Magistrate of any Port within any of Our Dominions, or by or before the *British* Consul, or Vice Consul, residing at any Neutral Port whereunto any Prize or Prizes, or Officers, or Men, of any Ships belonging to Our Enemies, as shall be taken, sunk, burnt, or otherwise destroyed, shall at any Time afterwards be brought (Proof being first made, by Affidavit before such Person or Persons, of the Inability of making such Oath or Oaths, and obtaining such Certificate at the said First Port) and the Mayor or other Chief Magistrate, Consul, or Vice Consul, shall thereupon grant such Certificate and Certificates as are therein before directed; which Certificate and Certificates shall be good and effectual, to all Intents and Purposes, as if the same were granted by the Mayor or other Chief Magistrate, Consul, or Vice Consul, of the Port to which such Prize or Prizes, Officers, or Men, as aforesaid, shall be first brought; any thing in the said Acts contained to the contrary thereof in any wise notwithstanding. We, taking the Premises into Consideration, do, pursuant to the said Acts of Parliament (with the Advice of Our Privy Council) by this Our Proclamation, order, direct, and appoint, That the Net Produce of all Prizes taken by Our Ships of War, and Bounty Money for the Taking, Sinking, Burning, or otherwise Destroying, the Enemies Ships of War, or Privateers, be divided into Eight equal Parts, and be distributed in Manner following; that is to say, To the Captain or Captains of any of Our Ships of War, who shall be actually on Board at the Taking of any Prize, or at the Taking, Sinking, Burning, or Destroying, any of the Enemies Ships of War, or Privateers, Three Eighth Parts; but in case any such Prize shall be taken, or Ship of War, or Privateer, of the Enemy, be taken, sunk, burnt, or destroyed, by any of Our Ship or Ships of War, under the Command of a Flag or Flags, the Flag Officer or Officers being actually on Board, or directing and assisting in the Capture, to have One of the said Three Eighth Parts; the said One Eighth Part to be to such Flag Officer, or Flag Officers, in such Proportions, and subject to such Regulations, as are herein after for that Purpose mentioned: To the Captains of Marines and Land Forces, Sea Lieutenants and Master, on Board any such Ships, One Eighth Part, to be equally divided amongst them: To the Lieutenants and Quarter Master of Marines, and Lieutenants, Ensigns, and Quarter Master of Land Forces, Boatwain, Gunner, Purser, Carpenter, Master's Mate, Chirurgion Pilot, and Chaplain, on Board any such Ship, One Eighth Part, to be equally divided amongst them: To the Midshipmen, Secretary to Flag Officers, Captain's Clerk, Master Sail Maker, Carpenter's Mates, Boatwain's Mates, Gunner's Mates, Master at Arms, Corporals, Yeomen of the Sheets, Coxwain, Quarter Masters, Quarter Masters Mates, Chirurgion's Mates, Yeomen of the Powder Room, and Sergeants of Marines, or Land Forces, on Board any such Ship, One Eighth Part, to be equally divided amongst them: To the Trumpeters, Quarter Gunners, Carpenter's Crew, Steward, Cook, Armourer, Steward's Mate, Cook's Mate, Gunsmith, Cooper, Swabber, Ordinary Trumpeter, Barber, Able Seamen, Ordinary Seamen, and Marine or other Soldiers, and all other Persons doing Duty, or assisting on Board any such Ships, Two Eighth Parts, to be equally divided amongst them: And in case any Sea Captain, inferior Commission or Warrant Sea Officer, belonging to any Ship of War, for whom any Shares of Prizes, or of the Bounty Money for Ships taken, sunk, burnt, or destroyed, are hereby allowed, be absent at the Time of the Capture of any Prize, or at the Capture, Burning, Sinking, or Destroying, any Ships of War, or Privateers, of the Enemy, the Share of such Sea Captain, inferior Commission or Warrant Sea Officer, shall be cast into the Shares hereby allowed to the Trumpeters, Quarter Gunners, Carpenter's Crew, Steward, Cook, Armourer, Steward's Mate, Cook's Mate, Gunsmith, Cooper, Swabber, Ordinary Trumpeter, Barber, Able Seamen, Ordinary Seamen, and Marine or other Soldiers, and other Persons doing Duty, or assisting on Board any such Ships, to be equally divided amongst them. Provided, That if any Officer or Officers on Board any of Our Ships of War, at the Time of taking any such Prizes, or at the Taking, Sinking, Burning, or Destroying, any Ships of War or Privateers, of the Enemy, shall have more Commissions or Offices than One, he or they shall be intitled only to the Share or Shares of the said Prizes, and of the Bounty Money for the Enemy's Ships of War, or Privateers, taken, sunk, burnt, or destroyed, which, according to the above-mentioned Distribution, shall belong to his or their respective superior Commissions or Offices. And We do hereby strictly enjoin all and every Commander and Commanders of any Ships of War taking any Prize, or taking, sinking, burning, or destroying, any of the Enemy's Ships of War, or Privateers, as soon as may be, to transmit, or cause to be transmitted, to the Commissioners of Our Navy, a true List of the Names of all the Officers, Seamen, Marines, Soldiers, or others, who were actually on Board Our Ships of War under his or their Command at the Taking such Prize, or at the Taking, Burning, Sinking, or Destroying, any such Ships of War, or Privateers, of the Enemy; which List shall contain the Quality of the Service of each Person on Board, and be subscribed by the Captain or Commanding Officer, and Three or more of the Chief Officers on Board. And We do hereby require and direct the Commissioners of Our Navy, or any Three or more of them, to examine, or cause to be examined, such Lists by the Muster Books of such Ships of War, and Lists annexed thereto, to see that such Lists do agree with the said Muster Book and annexed Lists, as to the Names, Qualities, or Ratings of the Officers, Seamen, Marines, Soldiers, and others, belonging to such Ships of War; and, upon Request, forthwith to grant a Certificate of the Truth of any List transmitted to them, to the Agents nominated and appointed by the Captors, pursuant to the said Acts, to take care or dispose of such Prize, or of such Bounty Money for Ships taken, sunk, burnt, or destroyed; and also, upon Application to them, to give, or cause to be given, unto the Agents who shall, at any Time or Times, be appointed as aforesaid by the Captors, all such Lists from the Muster Book of any such Ships of War, and annexed Lists, as the said Agents shall find requisite for their Direction to pay the Produce of such Prizes, or the Bounty, in case any Bounty shall be due for taking the same, and to be otherwise aiding and assisting to the said Agents as shall be necessary. And as touching the said One Eighth Part herein before mentioned to be granted to the Flag or Flag Officers, who shall be actually on Board at the Taking of any Prize, or at the Taking, Sinking, Burning, or Destroying, any Ships of War, or Privateers, of the Enemy, or shall be directing and assisting therein, We have thought fit, and do, by these Presents, publish, order, and declare, That the following Regulations be observed; First, That a Flag Officer commanding in Chief, where there is but One Flag Officer upon Service, shall have to his own Use the said One Eighth Part of the Prize taken, and Bounty Money for the Enemy's Ships taken, sunk, burnt, or destroyed, by Ships under his Command: Secondly, That a Flag Officer, sent to command at *Jamaica*, or elsewhere, shall have no Right to any Share of Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or otherwise destroyed, by Ships employed there, before he arrives at the Place to which he is sent, and actually takes upon him the Command: Thirdly, That when an inferior Flag Officer or private Ships are sent out to reinforce a superior Flag Officer at *Jamaica*, or elsewhere, the said superior Flag Officer shall have no Right to any Share in the Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or destroyed, by them, before they arrive within the Limits of his Command, and actually receive some Orders from him: Fourthly, That a Chief Flag Officer returning home from *Jamaica*, or elsewhere, shall have no Share of the Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or destroyed, by the Ships left behind to act under another Command: Fifthly, That if a Flag Officer is sent to command in the Out-ports of this Kingdom, he shall have no Share of the Prizes taken, or Bounty Money for Ships taken, sunk, burnt, or destroyed, by Ships that failed from that Port by Orders from the Admiralty: Sixthly, That when more Flag Officers than One serve together, the Eighth Part of the Prizes taken, and Bounty Money for the Taking, Sinking, Burning, or Destroying, Ships of War, or Privateers, of the Enemy, by any Ships of the Fleet, or Squadron, shall be divided in the following Proportions; *videlicet*, If there be but Two Flag Officers, the Chief shall have Two Third Parts of the said One Eighth Part, and the other shall have the remaining Third Part; but if the Number of Flag Officers be more than Two, the Chief shall have only One Half, and the other Half shall be divided equally among the other Flag Officers: Seventhly, That Commodores, with Captains under them, shall be esteemed as Flag Officers, with respect to their Right to an Eighth Part of Prizes taken, and Bounty Money for Ships taken, sunk, burnt, or destroyed, whether commanding in Chief, or serving under Command.

Given at Our Court at *Saint James's*, the Twenty sixth Day of *July*, One thousand seven hundred and sixty two, in the Second Year of Our Reign.

G O D save the K I N G.

L O N D O N:

Printed by *Mark Baskett*, Printer to the King's most Excellent Majesty; and by the Assigns of *Robert Baskett*. 1762.